FORM PTO-1390 (REV. 01-2003) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

| ATTORNEY'S DOCKET NUMBER | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) |
|---|---|
| 2002DE106 | to be Assigned 10/510086 |

| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
|---|---|---|
| PCT/EP03/02675 | 14 March 2003 | 03 April 2002 |

TITLE OF INVENTION
Method for Coloring Fertilizers

APPLICANT(S) FOR DO/EO/US
Andreas HARZ and Olaf MUELLER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. ☐ is attached hereto (required only if not communicated by the International Bureau).
   b. ☐ Has been communicated by the International Bureau.
   c. ☐ Is not required, as the application was filed in the United States Receiving Office (Ro/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. ☒ is attached hereto.
   b. ☐ Has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ Have been communicated by the International Bureau.
   c. ☐ Have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ Have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter* .2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

- Express Mail Label Number: ER654099486US; copy of the International Search Report.

**Customer Number 25,255**

| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) to be assigned 10/751006 | INTERNATIONAL APPLICATION NO. PCT/EP03/02675 | ATTORNEY'S DOCKET NUMBER 2002DE106 |
|---|---|---|

| 21. ☒ The following fees are submitted: **BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):** | CALCULATIONS PTO USE ONLY | |
|---|---|---|
| Neither international preliminary examination fee (37 CFR 1.482) Nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO.....**$1,080.00** | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....**$ 920.00** | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.482) paid to USPTO.....**$770.00** | | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33 (1)-(4).....**$730.00** | | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) .....**$100.00** | | |
| **ENTER APPROPRIATE BASIC FEE AMOUNT =** | $ 950.00 | |
| Surcharge of **$130.00** for furnishing the oath or declaration later than 30 months From the earliest claimed priority date (37 CFR 1.492(e)). | $ 0.00 | |

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | $ | |
|---|---|---|---|---|---|
| Total claims | 13 - 20 = | 11 | x **$18.00** | $ 0.00 | |
| Independent claims | 1 - 3 = | 0 | x **$86.00** | $ 0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + **$290.00** | $ 0.00 | |
| **TOTAL OF ABOVE CALCULATIONS =** | | | | $ 950.00 | |
| ☐ Applicant claims small entity status. See 37 CFR 1.27. The fee indicated above are reduced by 1/2. | | | | $ 0.00 | |
| **SUBTOTAL =** | | | | $ 950.00 | |
| Processing fee of **$130.00** for furnishing the English translation later than 30 months From the earliest claimed priority date (37 CFR 1.492(f)). | | | | $ 0.00 | |
| **TOTAL NATIONAL FEE =** | | | | $ 950.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property + | | | | $ 0.00 | |
| **TOTAL FEES ENCLOSED =** | | | | $ 950.00 | |
| | | | | **Amount to be refunded:** | $ |
| | | | | **charged:** | $ |

a. ☐ A check in the amount of $ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 03-2060 in the amount of $ 950.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-2060. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:
Clariant Corporation
Industrial Property Department
4000 Monroe Road
Charlotte, North Carolina 28205
Telephone: 704-331-7151
Fax: 704-331-7707

Customer Number 25,255

Anthony A. Bisulca
SIGNATURE

Anthony A. Bisulca
NAME

40,913
REGISTRATION NUMBER

DT04 Rec'd PCT/PTO 01 OCT 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Express Mail Label Number ER654099486US**

**Date of Mailing: October 1, 2004**

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that on the date indicated above this International application and the documents referred to as enclosed therein, of:

**Inventors:** **Andreas HARZ**
**Olaf MUELLER**

**For:** **Method for Coloring Fertilizers**

**International Application No.: PCT/EP03/02675**
**International Filing Date: 14/03/2003 (14 March 2003)**
**Priority Filing Date: 03/04/2002 (03 April 2002)**

is being deposited with the United States Postal Service as "Post Office to Addressee" Express Mail addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Mail Stop:, in accordance with 37 CFR 1.10.

Vicki L. Sgro